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Serial No.: 09/804,409

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kieffer et al. Art Unit : 1633
Serial No. : 09/804,409 Examiner : Kelly, Robert M.
Filed : 03/12/2001
Title : COMPOSITIONS AND METHODS FOR REGULATED PROTEIN
EXPRESSION IN GUT

Assistant Commissioner of Patents
Washington, DC 20231

DECLARATION OF DR. ANTHONY CHEUNG
UNDER 37 C.F.R. §1.132

Sir:

1. I, ANTHONY CHEUNG, Ph.D., declare and say I am a resident of Vancouver, British Columbia, Canada. My residence address is: 1127 E. 16th Ave., Vancouver, BC, Canada V5T 4M4. I received Bachelor of Science degree in Biochemistry from the University of British Columbia in 1993. I received a Doctor of Philosophy degree in Physiology from the Tulane University in 1999. I am currently Chief Scientific Officer of enGene, Inc., in Vancouver, BC, Canada. My curriculum vitae has been previously submitted, which reflects my expertise in the areas of molecular biology and biochemistry.

2. I am an inventor of the subject matter claimed in United States Patent Application Serial No. 09/804,409, filed March 12, 2001.

3. I have reviewed the claims that are presently under examination.

4. I understand that claims 31, 34 to 36, 40, 43, 47 to 49, 51, 52, 54, 55, 71 to 73, 76, 78 to 80, 82, 83 and 85 to 88 have been rejected due to an alleged lack of adequate written description for subsequences or variants of chromogranin A promoter. I also understand that claims 31, 34 to 36, 38 to 40, 43, 47 to 49, 51 to 55 and 87 have been rejected due to an alleged lack of enablement for any diabetes treatment or onset, animal, chromogranin A promoter, mucosal endocrine cell, polypeptide, amino acid, fat, production of insulin, transformation method, vector, method of nutrient contacting. I further understand that claims 71 to 73, 76, 78 to 80, 82, 83, 85, 86 and 88 have been rejected due to an alleged lack of enablement to treat the body mass or obesity or onset.